

ESTTA Tracking number: **ESTTA509923**

Filing date: **12/10/2012**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92056330
Party	Plaintiff Lavipharm Group Holding S.A.
Correspondence Address	JAY A BONDELL LADAS & PARRY LLP 1040 AVENUE OF THE AMERICAS NEW YORK, NY 10018 UNITED STATES jbondell@ladas.com, elipins@ladas.com, gdeluca@ladas.com
Submission	Motion for Default Judgment
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Signature	/Jay A. Bondell/
Date	12/10/2012
Attachments	Motion for Default Judgment.pdf (3 pages)(266628 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the matter of U.S. Trademark Registration No. 3,643,663

For the mark "Meditera (Stylized)"

Registration Date: June 23, 2009

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)	
LAVIPHARM GROUP HOLDING S.A.)	
)	
Petitioner,)	Cancellation No. 92056330
)	
v.)	
)	
MEDITERA ITHALAT VE IHRACAT)	
)	
Respondent.)	
-----	X	

MOTION FOR DEFAULT JUDGMENT

Pursuant to 37 C.F.R. §2.114(a) and Rule 55 of the Federal Rules of Civil Procedure, Lavipharm Group Holding S.A. (hereinafter "Petitioner") hereby moves for entry of judgment by default against Meditera Ithalat Ve Ihracat (hereinafter Registrant") based on Registrant's failure to timely file an answer to Petitioner's Petition to Cancel filed on October 16, 2012.

In the above-identified cancellation proceeding, Registrant had a 40-day answering period which expired on November 26, 2012. Registrant has failed to answer Petitioner's Petition to Cancel. Pursuant to 37 C.F.R. §2.114(a), Petitioner is entitled to relief in the form of entry of judgment by default against Registrant.

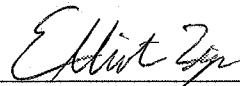
Petitioner respectfully requests that judgment be entered in Petitioner's favor cancelling Registrant's registration.

New York, New York

December 10, 2012

Respectfully submitted,

Jay A. Bondell
Elliot W. Lipins



Ladas & Parry LLP

Attorneys for Petitioner

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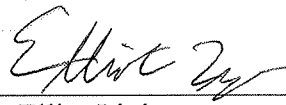
Fax: 212 246-8959

CERTIFICATE OF SERVICE

It is hereby certified that on December 10, 2012, a true copy of the foregoing MOTION FOR DEFAULT JUDGMENT, is being served by first-class mail, postage prepaid, to the Registrant at the following address:

MEDITERA ITHALAT VE IHRACAT; LIMITED SIRKETI
5758 SOKAK. NO:4/C KAT:2/3
KARABAGLAR-IZMIR, TURKEY.

By: _____



Elliot Lipins